

A. I lived at the same address.

Q And on that night did you go out for a walk with anybody?

A Yes, sir; I walked with my children, and Mrs. Blust.

Q And what time did you leave your house?

A About half past seven.

Q And which way did you go?

A Through Easton Avenue and Turnpike.

Q What ground did you have to walk over to bring you over to Easton Avenue turnpike.

Q Easton Avenue turnpike.

Q Tell me what streets or roads you walked on.

A Easton Avenue. I had walked out on Richardson--from Richardson Street to Easton Avenue.

Q That is correct, you walked along Richardson Street to Easton Avenue and then you went along Easton Avenue in which direction? A. Towards Derussey's Lane.

Q How near did you get to Derussey's Lane, or did you get actually into the lane?

A No, sir; I did not.

Q How near the lane did you get?

A I got the other side of the vocational school.

Q How near is that to Derussey's Lane?

A I never noticed.

Q Well, is it a short distance or a long distance?

A Well, it is, yes, sir.

Q Did you at that time know Mrs. Mills?

A Yes, sir.

Q How well did you know her?

A I knew her for two years, while I was in the choir.

Q Were you in this choir too? A. Yes, sir.

Q And on this night did you see Mrs. Mills?

A Yes, sir.

Q Where was she when you saw her?

A On the near side of the vocational school.

Q In which direction was she going?

A Derussey's Lane.

Q Were there any car tracks near where you saw her?

A No, sir.

Q Now when you saw her was she on the same side of the street as you? A. Yes, sir.

Q Did she pass you? A. Yes, sir.

Q Did she speak to you? A. No, sir.

Q You knew her well enough to speak to? A. Yes, sir.

Q In which direction did you see her go?

A Towards Derussey's Lane.

Q Did you see her disappear in Derussey's Lane?

A No, sir; I did not.

Q Where was she when you last saw her?

A I did not notice.

Q You saw her pass and did not see her again?

105.2039 p 3

A. Yes, sir.

Q Did you see Dr. Hall on that night? A. Yes, sir.

Q Did you see him before or after you saw Mrs. Mills?

A After I saw her.

Q How long after? A. I should judge fifteen minutes.

Q Where were you when you saw Dr. Hall?

A At the same place, coming back.

Q Did you turn around to come back at the place where you saw Mrs. Mills or did you continue on?

A No, I continued on.

Q How far? A. To the other end of the vocational school.

Q And then you went back? A. Yes, sir.

Q How far back had you gotten when you saw Dr. Hall?

A I got to the first part of this vocational school.

Q Can't you locate this vocational school with reference to Derussey's Lane? ---a block away?

A More than a block.

Q A mile away? A. Three quarters of a mile, I should judge.

Q Three quarters of a mile away from Derussey's Lane?

A Yes, sir.

Q And it is on Easton Avenue, is that right?

A Yes, sir.

Q And you got into Easton Avenue from your street, where the vocational school is, is that where you turned in?

105.2039 p4

A No, sir.

Q Well, how far did you have to walk down Easton Avenue until you got to the vocational school?

A About a block and a half.

Q And then when you saw Dr. Hall did you look on the same side of the street you were on? A. Yes, sir.

Q And in what direction was he going?

A Derussey's Lane.

Q And did you notice whether he was walking fast or slow?

A He was walking fast.

Q Did you notice how he was dressed?

A I did not take particular notice, only that he had a panama hat on and dark clothes.

Q Was he walking at a rapid pace?

A Yes, sir; he was.

Q Did you speak to him? A. No, sir; I did not.

Q Why didn't you speak to him?

A Because I did not know it was him until he was right on top of me and did not even notice me.

Q He did not indicate that he ^{saw} ~~was~~ you?

A. No, sir.

Q Where was he when you lost sight of him?

A I did not notice.

Q Did you notice how near you were to Derussey's Lane when he passed you?

105.2039 p5

A Well, I should say three or four minutes.

Q When he passed you? A. Yes, sir.

Q Were you still at the vocational school?

A Right in front of it.

Q And you say that was fifteen minutes after Mrs. Mills had passed going in the same direction?

A Yes, sir.

CROSS EXAMINATION BY MR. PFEIFFER:

Q Mrs. Harkins, at that time while you were walking with your children this evening did you observe the time upon the clock upon the vocational school?

A I did.

Q What time did you observe?

A Well, it was eight o'clock when I seen Dr. Hall.

Q You say it was just about eight o'clock when you saw Dr. Hall? A. Yes, sir.

Q And you are able to fix that time how?

A Well, by the clock on the vocational school.

Q And it was right near there that you saw Dr. Hall?

A Yes, sir.

Q When Mrs. Mills went past you did she lower her head?

A No, sir.

Q Did she give any sign of recognition to you at all?

A No, sir; she just smiled.

105.203a p 6

Q She just smiled? A. That is all.

Q Did Mrs. Mills appear to be in a hurry too?

A No, sir; she was not.

Q In the case of Dr. Hall who came fifteen minutes later, she seemed to be in a hurry? A. Yes, sir.

Q Did his manner in any way indicate to you that there was something on his mind?

A No, sir; I never ~~through~~ thought of anything like that.

Q He got right up on top of you? A. Yes, sir.

Q And you say as the reason why you did not speak to him, because he had gone by by the time you recognized him?

A Yes, sir.

Q Did you notice anything in Mrs. Mills' hands as she went by you? A. Well, she had one arm up and I thought she had something in it, but I did not take particular notice what it was.

Q Well, was it a small package--did it appear to be a little package. Well, I should judge it was.

Q Were you able to notice whether it had some brown wrapping paper or something of that kind on it?

A No, sir; I did not take notice. I did not take that much notice.

Q Well, are you able to describe the size of the package?

Q Something like an envelope.

Q A package as long as that, or half as long as that (in-

105,2039 p 7

dicating)? A. Half as large as that.

Q About that size? A. Yes, sir.

MR. PFEIFFER: May I ask the State to produce the letters that were found around the body?

MR. SIMPSON: Yes.

Q I show you an envelope containing certain letters marked States Exhibit 3 and ask you if the package which you saw in the arm of Mrs. Mills on this evening was of approximately the size of this envelope?

A Well, I should judge it was.

MR. PFEIFFER: That is all.

REDIRECT EXAMINATION BY MR. SIMPSON:

Q Now on cross examination you told this gentleman you did not tell this gentleman you saw any package, you told him, you said she had her arm up, and you thought you saw a package. A. Yes, sir.

Q You don't know whether you saw a package or not, do you?

A No, sir.

Q Have you made any statement for these defendants before you were sworn here today or been interviewed by anybody?

A. No, sir.

Q Have you made a statement to anybody respecting these defendants about a package under her arm.

105.2039 p8

A I did, in my first statement.

Q To whom? A. To a reporter.

Q What reporter? A. Star Eagle.

Q And now you say you don't know whether she had a package or not, is that what you say under oath?

A Well, I was not sure.

Q Well, I know, but you have got to be sure of one thing or the other. Did you say this woman did have a package under her arm?

A No, I would not say that.

Q On Sunday you went to the scene of this murder, didn't you? A. Yes, sir; I did.

Q Did you see any bloody burlap bags there?

A I certainly did.

Q Where did you see this bloody burlap bag?

A On Easton Avenue turnpike, just below Derussey's Lane, in Derussey's Lane.

Q Just describe it.

A There was a burlap bag and a peach basket and some newspapers.

Q Was there blood on it? A. There was.

Q Did you call anybody's attention to that burlap bag?

A I certainly did.

Q Whose attention did you call to it?

A Detective David.

105.2039 p9

Q Do you remember when you called his attention to it?

A I don't remember.

Q Was it the same day you saw it?

A No, it was not.

Q Was it afterwards? A It was.

Q Were you ever taken there afterwards to show him where it was? A No sir.

Q You reported that Sunday you saw a bloody burlap bag and peach basket with blood on it to David?

A Yes.

RECROSS EXAMINATION BY MR. PFEIFFER:

Q Now Mrs. Harkins was your recollection of what you saw on the Night of Sept. 14th 1922 better 10 days after the time than it is now?

A Well, I don't know.

Q Let me ask you this, if you did not make a statement to a reporter from the New York World, on Sept. 23rd, 1922 - "We had gone only a short distance when we heard someone behind, say, " Mrs. Harkins." I looked around and saw it was Mrs. Mills. I turned as she came nearer. I had to turn the carriage in so that she would not step in the street. The outer rapping of package under her left arm which might have been letters, was of a yellow paper. I made a verbal note of how tightly she held it." " Is that substantially what you stated?

105. 2039 p10

A I didn't state no such thing, and another thing, I never received a reporter from the World.

Q So that you deny you made such a statement at that time?

MR. SIMPSON: She has denied it.

A I certainly do.

Q And all you can say now is that you are not sure whether she had a package under her arm or not?

A I can't

Q What is your best recollection, - did you see a package?

MR. SIMPSON: Here she is testifying under oath and she says she does not know whether she had a package or not. What difference does it make what her recollection is four years after. She has testified definitely to positive substantive things. She says she can't remember a package. How is your honor aided by this examination?

MR. PFEIFFER: She testified on cross that she thought she saw a package.

Q To the best of your recollection did you see a package?

A No, I would not say I seen a package. I would not say for sure that it was a package.

Q Well, would you be able to say whether you saw something in her arm, whether it was a package or what it was?

A Why now, I could not positively tell you that either.